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Chairman: Ms. Wensley ..... (Australia)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.10 a.m.

Agenda item 164: Human resources management (*continued*) (A/53/955; A/54/164, A/54/165, A/54/257, A/54/272, A/54/276, A/54/279 and Corr. 1 and A/54/450; A/C.5/54/2, A/C.5/54/4, and A/C.5/54/21; A/C.5/54/L.3)

1. **Mr. Barnwell** (Guyana), speaking on behalf of the Group of 77 and China, said that, in order to attract and retain staff of the highest standards of efficiency, competence and integrity, the Organization should provide the best possible conditions of service. While staff were expected to do their utmost to perform in accordance with the expectations of Member States, it was also necessary for conditions of service to include incentives in the form of a well-defined system of performance awards, career development and bonuses. There was also a need for adequate sanctions and effective measures to address the issue of underperformance.

2. The Group of 77 and China felt that authority should be delegated only in accordance with General Assembly resolution 53/221, section IV, which also stated the need for well-designed systems of accountability. It was a matter of deep concern that authority was being delegated to programme managers without there being accountability measures in place and without the approval of the General Assembly. The Group of 77 and China requested the Secretary-General not to proceed with any delegation of authority to programme managers until full, transparent and verifiable accountability mechanisms had been established. In that connection he reiterated the central authority of the Office of Human Resources Management for all staff-related matters.

3. The intergovernmental legislative process should continue to be the prerogative of Member States, as stipulated in the Charter, in which connection he expressed concern regarding the Secretariat's references to supposed micromanagement and overadministration by Member States. Accordingly the Group of 77 and China could not support the Secretary-General's proposal concerning the Committee's working methods contained in paragraph 10 of document A/C.5/54/21.

4. Contrary to what was stated in paragraph 5 of document A/C.5/54/4, the General Assembly had not endorsed the guidelines for the use of consultants and individual contractors (A/53/385, annex); in section VIII of resolution 53/221, the General Assembly had revised the guidelines and requested the Secretary-General to circulate them as a matter of priority. The administrative instruction on consultants and individual contractors (ST/AI/1997/7) did not fully comply with the General Assembly's request, in particular regarding travel costs and the need to maintain a geographical balance. There continued to be a considerable geographical imbalance in the hiring of consultants and experts, with one third of the consultants coming from only five countries and over 50 per cent of individual contractors from only six countries. The Group of 77 and China requested that information on consultants hired against extrabudgetary resources, including details of consultants hired, fees paid, countries of origin and duty stations, should be provided before informal consultations took place.

5. He noted with concern that, in spite of the request for a comprehensive compendium of all administrative circulars on the delegation of authority, document A/54/257 covered only those administrative circulars dealing with human resources management. All administrative circulars on the delegation of authority should be submitted before informal consultations took place on the agenda item.

6. Referring to the amendments to the Staff Rules (A/54/272), he requested that the information should be presented in tabular form showing the existing Staff Rules and proposed amendments so as to facilitate consideration. Frequent amendments to the Staff Regulations and Rules should be avoided and, if necessary, should be undertaken in a comprehensive, rather than piecemeal, manner.

7. **Mr. Blu** (Togo) commended the Secretary-General on his reform programme, particularly with reference to human resources management. Recalling the key importance of Article 101 of the Charter, he associated his delegation fully with the statement made by the representative of Guyana. His delegation wished the measures already taken to be continued and extended so as to ensure, in particular, that no post, including at the highest level, was considered the exclusive preserve of any Member State or group of States. His delegation was therefore in favour of the system of desirable ranges to ensure geographical balance in the composition of the Secretariat. In that connection he was concerned to note that 24 Member States were unrepresented, 13 under-represented and 13 over-represented. It seemed either that the measures to ensure equitable geographical balance had not been fully applied or that the arrangements were no longer working. His delegation therefore called on the Committee to support the Secretary-General fully in his efforts to ensure the equitable representation of Member States in the composition of the Secretariat.

8. His delegation was in favour of transparency and objectivity in selection and recruitment, and looked forward

to the introduction of Release 5 of the Integrated Management Information System (IMIS), which should provide the Secretariat with a greater choice of candidates and a means of securing wider geographical distribution.

9. His delegation welcomed the fact that the provisions of the Charter concerning parity between men and women within the Secretariat had been applied and that the proportion of women in posts subject to geographical distribution and in posts requiring special language skills had increased. It was therefore clear that the strategic plan of action for the improvement of the status of women in the Secretariat had operated in an effective manner. It was important at the same time to bear in mind the need to give effect to the principle of accountability and to proceed with the delegation of authority to programme managers in accordance with resolution 53/221. Only a system of recruitment, appointment and promotion offering career development prospects to staff at all levels would attract staff having the highest standards of efficiency, competence and integrity. Together with measures to avoid the wastage of young staff members in the Professional category, that would enable the Organization to face up to the challenges of the next millennium.

10. **Mr. Hamidullah** (Bangladesh) said that the Committee should look into the question of the G to P examination, particularly in the light of the comments made by the Advisory Committee on that subject. The Committee should also give careful consideration to the questions raised by the Staff Union, particularly with regard to the performance appraisal system, job classification and consistency of approach in filling vacancies.

11. The Advisory Committee's report on human resources management (A/54/450) brought out clearly the uneven geographical distribution of consultants, and the fact that few consultants from developing countries were engaged. That was regrettable in view of General Assembly resolution 53/221, which called for the selection of consultants and individual contractors on a wider geographical basis. In that connection he asked the Secretariat to clarify how it intended to implement the resolution, particularly in the light of the requirement that travel costs should not be allowed to distort the application of the criterion of equitable geographical distribution.

12. His delegation associated itself with the statement made by the representative of Guyana on behalf of the Group of 77 and China, who had called for detailed information to be provided on the employment of consultants through extrabudgetary resources. His delegation also noted the observation by ACABQ on the definition of consultants and individual contractors and supported the Advisory Committee's recommendation that future reports should include a separate table of contractual services and that more precise definitions should be used.

13. While noting the Secretariat's assertion that more specific and targeted delegation of authority with provision for monitoring by the Office of Human Resources Management was already in place, his delegation supported the view of ACABQ on the need for system-wide monitoring of delegation of authority and asked for details of the difficulties being experienced by the Secretariat referred to in paragraph 22 of document A/54/450. His delegation looked forward to receiving the consolidated and comprehensive compendium of all administrative circulars on the delegation of authority mentioned in resolution 53/221.

14. **Mr. Fedorov** (Russian Federation) said that his delegation was astonished at the procedure under which the Secretary-General had submitted his report on the competitive examination for promotion to the Professional category (A/C.5/54/2) and shared the opinion of the Advisory Committee, expressed in paragraph 3 of its report (A/54/450), that the submission of a document at the request of several delegations was not in keeping with past practice whereby formal submissions of the Secretary-General were produced in response to decisions of legislative bodies rather than requests of individual members. Moreover, information circular ST/IC/1999/55 on the G to P examination disregarded the provisions of General Assembly resolution 53/221 and was based on the assumption that the General Assembly would review its own decision at its current session.

15. His delegation emphasized the importance of strict and unconditional implementation by the Secretariat of General Assembly decisions and resolutions. Document A/C.5/54/2, in drawing attention to what the Secretariat regarded as the serious implications for the career development of serving staff members of the application of the Charter principle of equitable geographical distribution, seemed to question that principle. The Secretariat seemed to be implying that it was a kind of discrimination on the ground of nationality. If so, references to gender balance in General Assembly resolutions could be considered as discrimination based on gender.

16. The position of his delegation was that the principles enshrined in the Charter concerning the appointment of staff with the highest standards of efficiency, competence and integrity, while paying due regard to recruitment on as wide a geographical basis as possible, should be strictly observed

through all stages of employment. Moreover, just as recruitment through the national competitive examination constituted appointment, so did transfer to the Professional category from other categories, rather than being a promotion. His delegation was opposed in principle to any reconsideration of resolutions adopted by the General Assembly.

17. He asked the Secretariat to provide his delegation with statistical data on the appointment of staff members at the P-1 and P-2 levels and to General Service posts since 7 April 1999. If any appointment had been made contrary to the provisions of resolution 53/221, his delegation requested an official explanation and the cancellation of the appointment.

18. The question of geographical representation also arose in the selection of consultants and individual contractors. Serious consideration should be given to why the number of consultants and individual contractors was higher than the number of posts subject to geographical distribution. His delegation was seriously concerned at the increasing use of consultants in areas that were within the competence of salaried staff members. His delegation also considered the system of permanent contracts to be a major obstacle to the development of the Secretariat's potential and to enhancing its efficiency and performance.

19. His delegation fully supported the comment made on behalf of the Group of 77 and China concerning paragraph 10 of document A/C.5/54/21.

20. **Mr. Nee** (United States of America) said that sound human resources management policies and practices were essential to the well-being of the Organization. His delegation believed that the recruitment, placement and promotion of staff must be primarily on the basis of merit. That was consistent with the United Nations Charter and was also good management practice. The same principle was applied by his delegation to the G to P examination. It could not agree to the criterion of geographical distribution being applied to that competitive examination and would therefore favour reconsideration of section V, paragraph 22, of General Assembly resolution 53/221.

21. An efficient, effective and fair performance evaluation system was essential for a personnel framework based on merit; he commended the steps taken by the Office of Human Resources Management to refine and simplify the performance evaluation system and asked how the Office planned to evaluate the system with a view to its possible improvement. His delegation also welcomed the Integrated Management Information System (IMIS), which had an important role to play in human resources management not only in routine payroll administration but also in the maintenance of up-to-date skills inventories, the forecasting of staffing needs and the periodic payroll audits essential to modern management.

22. His delegation was pleased that a code of conduct had now been incorporated in the Staff Rules and Regulations enunciating the core values, rights and obligations of United Nations staff and spelling out prohibited conduct, areas of conflict of interest, and other matters.

23. He noted that in the interest of simplification, a number of staff rules had been amended by removing procedural provisions that would be reflected instead in administrative instructions. While his delegation was in favour of efficiencies, it did not see what was gained by moving procedural provisions from one administrative document to another.

24. In conclusion, his delegation paid tribute to the men and women serving the United Nations throughout the world, many in situations of extreme difficulty and danger, and was saddened by the recent plane crash in Kosovo which had claimed the lives of so many personnel of the World Food Programme and others. It was important for the Member States to meet their obligation to do everything they could to ensure that United Nations staff and their families received the protection they deserved.

25. **Mr. Tesfaye** (Ethiopia) said that the United Nations should enhance its career development system to recognize competence and outstanding performance and to facilitate the continuous professional growth of staff at all levels. A simplified and appropriate performance appraisal system and a transparent promotion policy were also necessary. Since the G to P examination had helped to motivate General Service staff and to improve gender balance in the United Nations, he was concerned about the implications of section V, paragraph 22, of General Assembly resolution 53/221, which would make it impossible for General Service staff of certain nationalities to be promoted to the Professional category. That paragraph was inconsistent with the provisions on career development contained in the same resolution, such as section VI, paragraph 6. He therefore concurred with the Secretary-General's conclusion, contained in document A/C.5/54/2, that the General Assembly should reconsider the issue with a view to removing the concept of equitable geographical distribution as a factor in the alignment of the G to P examination with the national competitive examination.

26. **Mr. Demir** (Turkey) said that the Organization's staff was its most valuable resource and that he wished to pay tribute to the memory of those who had lost their lives in the service of the United Nations. His delegation was willing to

reconsider the implications of section V, paragraph 22, of General Assembly resolution 53/221, as requested by the Secretary-General. However, he stressed the need to improve geographical representation in the Secretariat, especially at the senior and mid-Professional levels. The national competitive examinations, which had been designed to expedite the recruitment of nationals of unrepresented and under-represented countries, had not achieved that goal. Recruitment for the Professional category with a view to achieving equitable geographical distribution in the Secretariat did not necessarily compromise the need to ensure the highest standards of efficiency, competence and integrity. Thousands of people from unrepresented and under-represented countries were well educated, highly skilled and willing to serve the United Nations.

27. He was pleased to note, from the Secretary-General's report on consultants and individual contractors (A/C.5/54/4), that comprehensive guidelines for the use of consultants and individual contractors had been promulgated, under which objectives, targets and output delivery dates must be spelled out in contracts. In particular, he welcomed the inclusion of the principle that qualified candidates should be selected from as wide a geographical basis as possible. Although the approach used in respect of the system of desirable ranges for the geographical distribution of Secretariat staff could not always be used in respect of consultants, maximum consideration should be given to that principle. As noted in paragraph 10 of the Secretary-General's report, the engagement of consultants and individual contractors in 1998 had shown a pattern of highly imbalanced geographical distribution. Of the 3,624 consultants and individual contractors engaged in 1998, only nine consultants and two individual contractors had been Turkish nationals. Turkey was willing to provide more expertise to the United Nations. It appeared, from the data given in paragraph 7 of the Secretary-General's report, that the average monthly cost of the services of consultants and individual contractors had been less than $4,000 and $2,500, respectively. He asked whether those very reasonable figures included all the related costs, such as travel expenses. While the question of travel expenses should not distort geographical balance in the award of contracts, such expenses should be commensurate with the overall cost of consultants. He was pleased that the duration of contracts had declined significantly.

28. With respect to the Secretary-General's report on the composition of the Secretariat (A/54/279), the decline in the number of staff between 1996 and 1998 had been consistent with the Secretary-General's reform programme. He was concerned about the decrease in the total number of staff from developing countries in posts subject to geographical distribution. The number of Turkish staff in such posts had been only 11 as at 30 June 1999, which was close to the lower limit of the desirable range for Turkey. More should be done to improve geographical representation. Although the number of female staff members in senior and Professional posts had increased, the number of women at the Under-Secretary-General, Assistant Secretary-General and Director levels was still insufficient, and only 37.1 per cent of all Professional posts were held by women. The number of retirements forecast for the next five years, together with the anticipated turnover rate, might seem somewhat alarming; however, the data collected in the skills inventory showed that young Professionals were ready to take on greater responsibilities. Moreover, Member States, including Turkey, were ready to provide experienced and skilled personnel. Those staff changes would also offer an opportunity to improve geographical distribution and gender balance in the Secretariat.

29. **Mr. Shikhaliyev** (Azerbaijan) said that, in view of the important challenges it faced, the Organization needed highly qualified staff, preferably from all the Member States, and an effective system of human resources management. The need to ensure equitable geographical distribution in the recruitment and placement of staff had been enshrined in Article 101 of the Charter and emphasized in General Assembly resolution 51/226. The United Nations should observe that principle in the engagement of outside consultants, with a view to attracting more consultants from countries with economies in transition and developing countries. While he appreciated the progress made in ensuring equitable gender representation in the Secretariat, it was important to avoid arithmetical approaches; priority should be given to female candidates who had more competence, experience and integrity than their male competitors.

30. In filling vacancies in the Secretariat, priority attention should be given to candidates from countries that still were not represented. The Republic of Azerbaijan had been a Member of the Organization since 1992, when it had regained independence, but not a single national of that country held an appointment with the Secretariat. Despite the serious financial difficulties it faced as a result of its refugee and displaced populations and the loss of 20 per cent of its territory in the conflict with Armenia, Azerbaijan had always paid its assessed contributions on time, and was about to make a payment to offset its arrears for the peacekeeping budget. It was therefore deeply concerned about its lack of representation in the Secretariat. The President and the Minister for Foreign Affairs of Azerbaijan

had raised the issue repeatedly with the Secretary-General, who had assured them that Azerbaijan would be represented by the year 2000. Unfortunately, it seemed that that promise would remain unfulfilled.

31. **Mr. Yamagiwa** (Japan) said that he, too, wished to pay tribute to the United Nations staff members who had lost their lives in the line of duty. He welcomed the reader-friendly format of the report on the composition of the Secretariat (A/54/279), but regretted that figures 4 and 5 no longer included the numbers they had contained in the previous report (A/53/375) and that figure 12 of the previous report had been omitted entirely. The numbers in figures 6 and 13 were barely legible. Disaggregated information on vacancy rates should be included in future reports on the composition of the Secretariat. Further analysis of the system of weighted desirable ranges, as well as the Secretariat's views on the weighted range and how it might be meaningfully used, would have been helpful.

32. He noted that the share of permanent appointments for posts subject to geographical distribution had fallen to 68.2 per cent, which meant that the goal established in General Assembly resolution 51/226, section V, paragraph 2, had been achieved. The information on separations of staff contained in paragraphs 54 and 55 of the report was somewhat confusing. For example, the number of separations was reported as 2,159 in paragraph 54 and 2,191 in figure 12. The information given in paragraph 54 on the percentages of Directors, Professionals and General Service staff who had separated accounted for only 98 per cent of total separations; he found it hard to believe that fully 2 per cent of the staff who had separated, numbering over 40 people, had been Assistant Secretaries-General and Under-Secretaries-General. More information was needed on the large number of resignations among junior Professionals. He asked whether the resignations of Professionals referred to in paragraph 55 excluded separations by reason of the expiry of fixed-term contracts or appointments of limited duration. A breakdown of resignations at the P-2 and P-3 levels would help delegations to evaluate the seriousness of that trend. He welcomed the institution of mandatory exit questionnaires and looked forward to the Secretariat's analysis of the responses received.

33. He was pleased to note that a skills inventory had been conducted, and asked for a copy of the more comprehensive, Web-based questionnaire being used to update the information collected. He would like to hear the Secretariat's views and ideas on how to make use of that information for the purpose of career development. If fully utilized by both staff and management, the skills inventory would greatly facilitate the system of managed assignments and reassignments envisaged by the Office of Human Resources Management. Since the number of promotions reported in paragraph 56 was more than twice the number for the preceding period, he asked for a breakdown by grade and an analysis by the Secretariat. In particular, he wondered whether the sudden increase meant that a large number of pending cases had been carried over or that processing time had been dramatically reduced.

34. He asked for the views of the Assistant Secretary-General for Human Resources Management on the projected recruitment activities in the next biennium. While he appreciated the progress made in recent years in recruiting candidates through national competitive examinations, he felt that the projection, in paragraph 27C.23 (c) (i) of the proposed programme budget (A/54/6/Rev.1), that it would be possible to place approximately 200 candidates per year who had passed national competitive examinations was extremely ambitious, and asked what measures would be taken to achieve that goal.

35. **Mr. Jayanama** (Thailand) said that his delegation associated itself with the statement made previously by the representative of the Philippines on behalf of the Association of South-East Asian Nations (ASEAN). The recruitment, at all levels, of qualified, well-trained and honest personnel and their effective management were essential for ensuring efficiency, professionalism and good governance in the United Nations. He was therefore deeply concerned about the fact that section V, paragraph 22, of General Assembly resolution 53/221 included equitable geographical distribution as a criterion for the promotion to the Professional category of staff from other categories. That provision would prevent certain General Service staff who had the requisite experience and academic qualifications from being promoted to the Professional category, merely on account of their nationality.

36. Thailand recognized the importance of recruiting nationals of unrepresented and under-represented countries through national competitive examinations. However, the G to P examination was for promotion, not recruitment. Nationality should never be a criterion for the promotion of staff members, particularly when it ran counter to the principle of merit highlighted in Article 101 of the Charter and to the Organization's need for the most capable personnel. Thailand therefore shared the Secretary-General's view that the application of "equitable geographical distribution" as a factor in the G to P examination would be contrary to the General Assembly's repeated requests to promote the career development of staff at all levels (A/C.5/54/2, para. 13) and would be inconsistent with Article 101 of the Charter and staff regulation 4.2.

Moreover, limiting promotion prospects would be detrimental to staff morale and to reform efforts in the area of human resources management. Accordingly, the General Assembly should reconsider the issue with a view to removing the concept of equitable geographical distribution as a factor in the G to P examination.

37. **Ms. Dinić** (Croatia) said that the Government of Croatia fully supported the Secretary-General's efforts to carry out an overall programme of reform of human resources management. It was vital to have well-qualified staff, but equitable geographical distribution must also be kept in mind in staff recruitment. Croatia supported national competitive examinations as the best method of recruitment and was glad that one of the candidates from the 1993 Croatia national examination had been recruited in 1999. However, the delay experienced by successful candidates before a post was offered was very discouraging. With a total of six nationals in the Secretariat Croatia was within its desirable range but still below its mid-point, particularly with regard to the weighted-staff position. That position illustrated another problem affecting new Member States — the lack of representation at the higher levels. It was also regrettable that there were more under-represented countries in 1999 than in 1998 and that the numbers of unrepresented and over-represented countries had remained unchanged. The improvement in gender distribution and the increase of 61.4 per cent in female staff members at the D-1 level and above were welcome, but much more had to be done.

38. **Ms. Silot Bravo** (Cuba) said that her delegation fully supported the statement made on behalf of the Group of 77 and China.

39. It was very important for the General Assembly to monitor the implementation of resolutions on human resources management, in particular with regard to delegation of authority. The Secretary-General had issued administrative instructions which went much further than the decisions of the General Assembly allowed, and the Staff Union had taken a firm position on the implications of such administrative instructions for personnel policies, deploring in particular the lack of consultation. The procedures for monitoring the implementation of the delegation of authority called for in General Assembly resolution 53/221 were not yet in place. In the light of the comments of the Advisory Committee in paragraph 22 of document A/54/450, her delegation looked forward to a report on the situation from the Secretariat. No reform measures should be implemented before they had been approved by the General Assembly, and the Secretariat should take the necessary action to correct situations in which it had gone further than the decisions of the General Assembly warranted. Her delegation would welcome in particular the Secretariat's comments on the measures being taken in connection with the appointment and promotion panels and drew attention in that connection to section II of resolution 53/221, which reaffirmed the role of the Office of Human Resources Management.

40. While the Secretariat was within its rights to explore the possibility of helping the General Assembly to improve the provisions which it had adopted on personnel questions, such action should not encroach on the Assembly's decision-making prerogatives. Her delegation shared the concern of the Group of 77 at the proposals contained in paragraph 10 of the note by the Secretary-General on personnel practices and policies (A/C.5/54/21).

41. Her delegation had found the statement by the Russian Federation on the G to P examination very interesting and would also welcome the information requested. Meanwhile, the General Assembly should decide whether such movement between categories was promotion or recruitment: if it was promotion, then the skills of the staff member in question and the results of the examination should be taken into account in addition to considerations of equitable geographical distribution; if it was recruitment, then more weight should be given to geographical distribution, in accordance with the many General Assembly resolutions on the subject and with Article 101 of the Charter in particular.

42. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that she would first reply to two questions put at the preceding meeting. She could confirm to the representative of the Syrian Arab Republic that none of the reports issued by the Department of Management contained statistical information broken down by regional group. And she could inform the representative of Japan that there had been two cases of recruitment at the P-2 level to cartographer posts, for which a special examination had been conducted; that information could be found in paragraph 26 of the report on the composition of the Secretariat (A/54/279).

43. She was confused by the comments made by the representative of Guyana on behalf of the Group of 77 and China. All the Secretariat had done in paragraph 10 of the note on personnel practices and policies (A/C.5/54/21) was to respond to specific requests for information made by the Advisory Committee in document A/54/7. It was certainly not the Secretariat's intention to question the position that the intergovernmental legislative process should remain the prerogative of the Member States. The Secretariat was in fact often asked by the Advisory Committee for such information

on a range of administrative and budgetary questions; it would be inappropriate not to respond.

44. She could inform the Russian delegation, with regard to the G to P examination, that the Secretary-General had felt compelled to warn the General Assembly of the adverse effect on staff morale of section V, paragraph 22, of resolution 53/221. The Secretary-General's note (A/C.5/54/2) was consistent with rule 112 of the rules of procedure of the General Assembly. The content of the Office's information circular (ST/IC/1999/55) did not disregard but rather upheld the General Assembly decision. It informed staff members that they were allowed to take the examination regardless of whether they could be promoted. The Office did not prohibit recruitment from over-represented States if it regarded the candidates in question as the most highly qualified. Nor did it ban serving staff from taking the examination solely on the ground of their nationality.

45. She would reply to the other questions put by members of the Committee in informal consultations.

Agenda item 118: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Agenda item 164: Human resources management (*continued*)

Gratis personnel (*continued*) (A/53/1028; A/54/470 and A/54/533)

46. **Mr. Yamagiwa** (Japan) said he regretted that the title of the report on the use of gratis personnel (A/54/533) was not in conformity with the most recent General Assembly resolution on the issue (53/218) or with the previous report of the Secretary-General (A/53/1028). It was his delegation's understanding that no gratis personnel had been provided by entities other than Governments during the reporting period. The presentation of data in the tables, particularly tables 6A and 6B, could have been much more sophisticated, as in annex VI of the first quarterly report on gratis personnel (A/52/709). He understood that the six gratis personnel referred to in paragraph 4 of the report were serving in the United Nations Interim Administrative Mission in Kosovo; however, the definition of "DPKO/FALD" in the list of abbreviations could give the false impression that they were serving at Headquarters. He wondered why "DPKO/FALD" had not been defined as "Special Missions", as in the report on the composition of the Secretariat (A/54/279). Paragraph 11 of the report seemed to contradict the observation, in paragraph 3 of the report of the Advisory Committee (A/54/470), that the number of gratis personnel in the International Tribunal for the Former Yugoslavia had never exceeded 300; he would appreciate further clarification in that regard.

47. **Mr. Barnwell** (Guyana), speaking on behalf on the Group of 77 and China, said that the composition of the Secretariat must be consistent with Articles 97, 100 and 101 of the Charter; General Assembly resolutions 51/243, 52/234, 52/248, and 53/11 should be implemented in that regard. The Organization should not use gratis personnel, and such personnel should not serve as a substitute for staff recruited to authorized positions to implement mandated programmes and activities.

48. The Fifth Committee held responsibility for administrative, budgetary, and human resources matters, and rule 153 of the rules of procedure of the General Assembly provided that no resolution in respect of which expenditures were anticipated by the Secretary-General could be voted upon by the General Assembly until the Fifth Committee had stated that proposal's effects on the budget estimates. The acceptance of gratis personnel or extension of their tenure had financial implications in the form of administrative support costs. Any request for extension should therefore be considered by the Fifth Committee before action was taken by the General Assembly.

49. The Group noted with serious concern that the Secretary-General had not complied with the General Assembly's repeated requests that his quarterly reports on gratis personnel should be submitted in good time and contain more accurate, comprehensive, complete and integrated information; in particular, more detailed information should have been provided on the matters noted by the Advisory Committee in paragraphs 2 and 3 of its report (A/54/470). The Secretariat should provide the information before the informal consultations on the agenda item began.

50. If the Secretariat identified a need to consider accepting gratis personnel, it must comply with the provisions of the four resolutions which he had mentioned. The Advisory Committee was right to comment in paragraph 4 of its report (A/54/470) that all future proposals from the Secretary-General on gratis personnel should be submitted in accordance with the relevant General Assembly resolutions and that all the relevant policies, procedures and regulations of the Organization should be fully respected. The Group also endorsed the Advisory Committee's observation on the need for an effective system in the Office of Human Resources Management to monitor the delegation of authority for gratis personnel to offices away from Headquarters. The Secretariat should explain why the annual

report requested in resolution 51/243 had not been issued in good time. It would be useful to have the ACABQ report on that annual report as quickly as possible. The Secretariat might also confirm that the administrative instruction on the use of gratis personnel (ST/AI/1999/6) was in full conformity with the guidelines approved by the General Assembly.

51. **Ms. Silot Bravo** (Cuba) said that her delegation fully supported the statement just made on behalf of the Group of 77 and China, especially with regard to paragraph 4 of the ACABQ report. If the Secretariat identified a need for gratis personnel it should conduct a systematic dialogue with the Member States in order to ensure compliance with the General Assembly resolutions. The Member States would then be able to take the necessary decisions before any action was taken by the Secretariat.

52. **Mr. Wharton** (United States of America) said that his delegation had had misgivings about the General Assembly's 1997 decision to eliminate most type II gratis personnel from the United Nations system. At the time United States military officers had accounted for 13 of the 111 gratis military officers in the Department of Peacekeeping Operations. As feared, the United Nations had lost much-needed expertise in the planning and execution of peacekeeping operations.

53. However, resolution 51/243 did permit certain exceptions to meet temporary needs for highly specialized personnel. Earlier in 1999, for example, the International Criminal Tribunal for the Former Yugoslavia had needed forensic personnel to conduct war-crimes investigations. Virtually all of those temporary staff members had since departed the Tribunal's service. There would continue to be a few circumstances in which specialized temporary personnel must be obtained quickly if the United Nations was to do its mandated jobs. The exceptions permitted under resolution 51/243 should therefore remain available.

54. **Mr. Sial** (Pakistan) said that his delegation supported the statement made on behalf of the Group of 77 and China and was particularly worried that resolutions 51/243 and 52/234 were not being fully implemented. The report on gratis personnel (A/54/533) had been submitted late and had been introduced before the corresponding ACABQ report had been issued, in contravention of resolution 51/243. His delegation would like to have an explanation.

55. It would also like to know specifically how many type II gratis personnel were being used in the United Nations system, what functions they were performing, and where they were serving. If Member States had been informed by the Secretariat of the need for gratis personnel in accordance with resolution 52/234, his delegation would like to have details of the relevant communications sent out to permanent missions, in particular with regard to the six gratis personnel accepted in the Department of Peacekeeping Operations.

56. The General Assembly had endorsed the Secretary-General's proposal that, if gratis personnel were needed, Member States would be requested to nominate two persons for selection by the Secretariat. But the administrative instruction in question had again referred to the provision of gratis personnel by Member States and other entities. His delegation would like the Secretariat to clarify that point and to issue a corrigendum to the administrative instruction in order to reflect accurately the General Assembly's decision.

57. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that she would provide full answers to the questions in informal consultations.

Agenda item 120: Programme planning (*continued*) (A/54/16, A/54/89, A/54/117 and A/54/125; A/C.5/54/12)

58. **Mr. Tummo Monthe** (Chairman of the Committee for Programme and Coordination) said that the Committee for Programme and Coordination (CPC) had considered four reports by the internal oversight services: on disarmament, electoral assistance, public information, and peacekeeping operations. CPC had endorsed most of the conclusions contained in those reports and submitted them for consideration by the General Assembly. The four topics were dealt with in paragraphs 473 to 542 of the CPC report (A/54/16).

59. CPC had also considered the annual report of the Administrative Committee on Coordination (E/1999/48) and had found it an improvement on the reports for previous years; it had recommended measures for the further improvement of future reports.

60. In addition CPC had considered the progress report of the Secretary-General on the implementation of the United Nations System-wide Special Initiative for the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s and had welcomed the progress achieved thus far.

61. The Committee had, as well, considered the report of the Joint Inspection Unit entitled "More coherence for enhanced oversight in the United Nations system" (A/53/171), the comments of the Administrative Committee on Coordination thereon (A/53/171/Add.1) and the related report of the Advisory Committee on Administrative and

Budgetary Questions (A/53/670). Its conclusions and recommendations were contained in paragraphs 617-620 of its report (A/54/16).

62. The Committee's conclusions and recommendations on the report of the Secretary-General on the revisions to the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (A/54/125) were contained in paragraphs 47-48 of its report.

63. During the Committee's consideration of the report of the Secretary-General on measures for sectoral, functional and regional bodies to review the proposed medium-term plan for the period 2002-2005 (A/54/89), concern had been expressed about the inadequate attention given by the Main Committees of the General Assembly to the medium-term plan and its revisions. It had been stressed that every effort should be made to ensure that the Fifth Committee received the views of the Main Committees prior to its consideration of the plan and its revisions.

64. In the Committee's discussion of ways in which the full implementation and the quality of mandated programmes and activities could be ensured, the view had been expressed that the report of the Secretary-General on that subject had been written in a vacuum, as if no rules and regulations existed in the Organization and that the recommendations and conclusions were not in conformity with the existing regulations and rules and established procedures. CPC had therefore recommended that the Secretary-General be requested to further explore ways in which the full implementation of mandates could be ensured and better assessed according to the request in resolution 53/207.

65. With regard to the programme performance of the United Nations for the biennium 1996-1997, the Committee had considered the note by the Secretary-General on the subject. It had expressed regret that the opinion of relevant intergovernmental bodies on the proposal by the Secretary-General to delete some outputs, as requested by the General Assembly in resolution 53/207, had not been submitted. It had also requested the Secretariat to ensure that future programme performance reports would provide clear justification and criteria for termination.

66. The Committee had considered a note by the Secretary-General on the review of the efficiency of the administrative and financial functioning of the United Nations (A/54/67) and had recommended that an agenda item entitled "Review of the efficiency of the administrative and financial functioning of the United Nations" be retained on the agenda of the General Assembly. It had further recommended that a progress report on the subject should be submitted biennially to the General Assembly through the appropriate intergovernmental bodies.

67. Lastly, the Committee had considered its agenda item 7, entitled "Improving the working methods and procedures of the Committee for Programme and Coordination within the framework of its mandate" and had reviewed the implementation of the conclusions and recommendations agreed to by the Committee on the matter at its thirty-eighth session. In its conclusions and recommendations, it had stressed that the Secretariat should submit the necessary documentation on time and in accordance with the six-week rule and that it must pay closer attention to the contents of the documents as well as to the quality of translation.

Agenda item 121: Proposed programme budget for the biennium 2000-2001 (*continued*)

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at is substantive session of 1999 (A/54/7/Add.2 and A/54/443)

68. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), responding to the request made at the Committee's 39th meeting by the representative of Pakistan that he should clarify a number of comments and recommendations contained in the report of the Advisory Committee on revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 1999 (A/54/7/Add.2), said that he would respond to each of the representative's queries.

69. The representative of Pakistan had characterized as ambiguous the first three lines of paragraph 5 of the Advisory Committee's report. The observations contained in that paragraph were a direct quote from paragraph 67 of the Advisory Committee's first report on the proposed programme budget for the biennium 2000-2001 (A/54/7). He wished to draw attention to the clarification of paragraph 67 which he had given at an informal meeting of the Fifth Committee on the morning of 23 November 1999. That clarification was also related to a question which had been asked by the representative of Pakistan in connection with paragraph 67 of the Advisory Committee's first report.

70. He wished to state for the record, however, that, in paragraph 67 of its first report (A/54/7) and paragraph 5 of its third report, the Advisory Committee stated that the Secretariat should inform Member States thoroughly and accurately whether or not resources existed to implement mandates in resolutions that contained the phrase "within

existing resources". That view could not in any way be termed ambiguous.

71. In fact, the view of the Advisory Committee was not new. It was actually based on the requirements of General Assembly resolution 42/211 of 21 December 1987 and the Advisory Committee had been regularly repeating that opinion for several years. For example, it had put forth the view in its first report on the proposed programme budget for the biennium 1996-1997 (A/50/7) and had repeated it in subsequent first reports for the biennium 1998-1999 (A/52/7, paragraph 12), and the biennium 2000-2001 (A/54/7, paragraph 67). It had also expressed a similar position in its seventeenth report for the biennium 1996-1997 (A/50/7/Add.17).

72. The representative of Pakistan had then asked what the Advisory Committee had meant when it had recommended that the Fifth Committee should take note of the estimate of $440,300. He had cited a legal opinion given to the Fifth Committee at its 67th meeting of the forty-second session of the General Assembly that when the General Assembly took note, it neither approved nor disapproved of what had been noted. The representative of Pakistan had concluded by asking what would happen to the activities approved by the Economic and Social Council if that were the case.

73. It was not the first time that the Advisory Committee had recommended that course of action for the Fifth Committee with respect to revised estimates to implement Economic and Social Council mandates. Moreover, the Advisory Committee's recommendation was not inconsistent with the legal opinion which the representative of Pakistan had cited. The Advisory Committee was in fact recommending that the Fifth Committee should acknowledge receipt of the estimate it was transmitting but not take action to approve or reject it. That procedure derived from the implementation of section C, paragraphs 3, 4 and 5 of the annex to Assembly resolution 42/211 on the use and operation of the contingency fund.

74. The procedure embodied in those paragraphs enabled the General Assembly to take action on resolutions with programme budget implications and to defer consideration and approval of the related resource implications pending the submission of a consolidated statement to it at a later stage. He himself had been intimately involved in the drafting of the annex to Assembly resolution 42/211.

75. In the question under consideration, therefore, taking note at the current stage, as the Advisory Committee had recommended, would not adversely affect the activities approved by the Economic and Social Council. That procedure was particularly pertinent for decisions and resolutions of the Council. In the current case there were no resolutions going before the plenary Assembly with resource implications of $440,300. Had there been such resolutions, the format of the Advisory Committee's recommendation would have been different. The Advisory Committee would have recommended that the Fifth Committee should inform the General Assembly that, should the Assembly adopt the draft resolutions concerned, expenditure of up to $440,300 would arise. Such additional appropriation as might have been required would have been considered by the General Assembly at a later stage in the context of the criteria for the use and operation of the contingency fund.

76. The representative of Pakistan had also stressed that, rather than considering a consolidated statement, the Fifth Committee considered programme budget implications separately, under relevant agenda items as submitted and then in the context of the programme budget. That statement was not correct.

77. Paragraph 5 of section C of the annex to resolution 42/211 stated that a deadline should be set for the consideration of statements of programme budget implications and proposals for revised estimates, and that after that date, the Secretary-General would prepare and submit a consolidated statement of all programme budget implications and revised estimates considered at that session of the General Assembly. That was the consolidated statement to which the Advisory Committee referred in paragraph 7 of its report (A/54/7/Add.2).

78. The final query of the representative of Pakistan concerned the use by the Advisory Committee of the term "revised estimates". According to the representative, revised estimates were submitted only to the approved programme budget, not to the proposed programme budget. Again, that was not correct. In order to avoid confusion and unnecessary requests for clarification, certain technical terms concerning the United Nations budgetary process should be carefully read and fully understood.

79. After the proposed programme budget was approved, the procedure to change it was governed by regulations 3.8 and 3.9 and by the corresponding rule 103.11 of the Financial Regulations and Rules of the United Nations (ST/SGB/Financial Rules/1/Rev.3 (1985)), which provided that supplementary programme budget proposals could be submitted by the Secretary-General, whenever necessary, and that such proposals should be prepared in a form consistent with the approved programme budget.

80. Financial regulation 3.7 and financial rule 103.6 governed the adoption of the programme budget for the following financial period and the submission of revised

programme budget proposals. Revised estimates were prepared by the Secretariat and considered by the General Assembly before it adopted the budget for the following financial period.

81. Rule 103.6 (c) governed the submission of revised estimates in respect of decisions of the Security Council, the Economic and Social Council or the Trusteeship Council. In addition, the contingency fund, as set out in Assembly resolution 42/211, was available for revised estimates resulting from decisions of the Economic and Social Council.

82. While he apologized for his lengthy statement, he had had no choice. He personally and other members of the Advisory Committee spent a great deal of time and energy in preparing reports to the General Assembly and other intergovernmental bodies and tried their utmost to submit clear observations and recommendations in the Advisory Committee's reports. He therefore regarded as very serious the statements made by the representative of Pakistan, particularly at the current session, that some of the Advisory Committee's reports contained confusing or ambiguous statements and recommendations. On another occasion, it had been implied that the Advisory Committee had gone beyond its mandate. The representative of Pakistan had also stated that the Fifth Committee had often rejected or amended recommendations of the Advisory Committee. It had been implied that such actions had called into question the confidence of Member States in the Advisory Committee's work.

83. The Advisory Committee was an advisory and not a decision-making body. It was therefore quite in order for the Fifth Committee to amend or reject any of its recommendations. It should be noted, however, that the General Assembly had traditionally accepted virtually all of the Advisory Committee's recommendations in whole or in part.

84. He admitted that some of the Advisory Committee's recommendations or observations might at times not be as clear as the Chairman and members of the Committee might wish them to be. He was always ready, however, to offer additional explanations. In the current case, he stood ready to offer further clarifications should the representative of Pakistan not be satisfied with his answers.

85. **Mr. Sial** (Pakistan) said that his delegation would respond in informal consultations to the statement just made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions. He wished to make it clear, however, that delegations had the right to seek clarification from the Advisory Committee on any issue. As the expert body mandated to provide such assistance, the Advisory Committee was expected to provide guidance so that the Fifth Committee could take informed decisions. Refining the working methods of United Nations bodies with a view to enhancing their efficiency was an ongoing process. Nothing that he had said, however, should be construed as questioning the Fifth Committee's confidence in the Advisory Committee.

86. **Mr. Moktefi** (Algeria) said that he wished to reiterate the support of his Government for the Advisory Committee, which was performing an extremely difficult but essential task.

87. **Mr. Yusuf** (United Republic of Tanzania) said that the Advisory Committee had been providing valuable advisory services to the Fifth Committee for many years and delegations should therefore not attempt to "fix" the Committee or to call into question its integrity or that of its Chairman.

88. **The Chairman** said that the Fifth Committee relied heavily on the expertise of the Advisory Committee under the wise guidance of its Chairman.

Agenda item 124: Pattern of conferences (*continued*) (A/C.5/54/28)

89. **Mr. Riesco** (Assistant Secretary-General for General Assembly Affairs and Conference Services), introducing the note by the Secretary-General on career development in language services contained in document A/C.5/54/28, recalled that, at its substantive session of 1999, the Committee on Conferences had requested the Secretary-General to finalize by the end of the main part of the fifty-fourth session of the General Assembly concrete proposals on a system of managed assignments based on career incentives and aimed at reducing the excessive vacancy rates at some duty stations. The current report had been prepared in accordance with that request.

90. Following the session of the Committee on Conferences, consultations had taken place between the Department of General Assembly Affairs and Conference Services and the Office of Human Resources Management. On that basis, there had been agreement on two sets of measures to alleviate the vacancy problem in language services at some duty stations away from Headquarters. The first set included measures intended to strengthen the cooperation between the Department of General Assembly Affairs and Conference Services at Headquarters, the Office of Human Resources Management, and conference services at offices away from Headquarters to facilitate the filling of vacancies at the entry level (P-2/P-3) in those offices. The

other set of measures aimed at initiating a system of managed assignments based on career incentives to facilitate the filling of vacancies by experienced language staff at the P-3 or P-4 levels.

91. With regard to the filling of vacancies at the entry level, it had now been decided that the regional commissions, the United Nations Office at Vienna and the United Nations Office at Nairobi would be given priority for the selection of candidates who had been successful in the competitive examination for recruitment of language staff. Accelerated training at Headquarters of the candidates thus recruited against vacancies at offices away from Headquarters would continue to cover a period of six to eight months. In those cases where an office away from Headquarters experiencing a high rate of vacancies was interested in recruiting one or several candidates on the roster, they would be recruited initially against vacant posts at Headquarters, with a clear understanding they would be reassigned at the end of the customary two-year supplementary training period. The acceptance of that condition would be reflected in the employment contract entered into by all new recruits which, as of 1 January 2000, would provide that staff members could be reassigned to any duty station at the discretion of the Organization.

92. Management would adopt a more proactive approach to the assignment to duty stations with high vacancy rates of language staff at the P-3 and P-4 levels with several years of experience. Rather than relying almost exclusively on volunteers, management would select individuals to fill vacancies using such criteria as skills, background and language combination, in full consultation with receiving offices. A number of incentive measures had also been agreed upon, including the granting of preferential treatment to staff members with a record of prior assignments to high-vacancy duty stations when considering candidates of equal merit for promotion. It had been decided, however, that some incentives which had initially been contemplated as part of a managed assignment system for language staff, including automatically reduced seniority requirements for promotions, accelerated salary increments and the granting of home leave every 12 months, would not be retained.

93. **The Chairman** proposed that the Committee should consider and make appropriate recommendations on the report by the Secretary-General in the context of the informal consultations on the item.

94. *It was so decided.*

Organization of work

95. **Mr. Barnwell** (Guyana), speaking on behalf of the Group of 77 and China, said that the delegations on whose behalf he spoke were reluctant to consider reports which did not comply with the rules of procedure of the General Assembly. Since the documents relating to agenda item 166 had not yet been made available, the Group of 77 and China requested that consideration of that item be rescheduled so as to give delegations enough time to read the reports and thereby ensure informed decision-making.

96. On a related matter, the Group of 77 and China wished to reiterate their earlier request for written clarification by the Secretariat of the allegations made against their members during the Committee's consideration of agenda item 125.

97. **Mr. Zhou Qiangwu** (China) said that delegations would not be in a position to consider agenda item 166 until the relevant documentation was made available.

98. **Mr. Yusuf** (United Republic of Tanzania) expressed his delegation's concern at the failure of the Director of the Programme Planning and Budget Division to be present, as had been scheduled, during the Committee's earlier consideration of the proposed programme budget for the biennium 2000-2001. It was his delegation's understanding that the Director had attended a meeting of the Advisory Committee on Administrative and Budgetary Questions, which had been held at the same time. It should be made clear to the Secretariat that meetings of the Fifth Committee took precedence over meetings of the Advisory Committee.

99. **Ms. Buergo Rodríguez** (Cuba) said that such situations might be avoided in future if there was better coordination in the scheduling of the meetings of the Advisory Committee and the Fifth Committee.

100. **The Chairman** said that the absence of the Director had also caused concern within the Bureau, which would follow up on the matter. With regard to the proposed changes in the Committee's programme of work, the Bureau would try to accommodate the concerns which delegations had expressed. It would also follow up with the Secretariat, as a matter of urgency, on the request by the Group of 77 and China for written clarification of the allegations to which the representative of Guyana had referred.

The meeting rose at 1.25 p.m.